

REMARKS

5 Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-18 are not rejected on the basis of adverse prior art.

1. 35 U.S.C. 112 rejection over claims 1-18:

10 A number of translation related informalities are present in the claims. In claim 1, the word "impressed" and the accompanying "impressing process" is not believed to be art recognized terminology, and "covering" or "used to improve" is not considered proper terminology. In claims 2, 4, 7, 10, 16 and 17, proper Markush language should be used in place of "comprising" and the term "composed" is also believed informal. In claim 6, line 3 "the affinity" is vague and indefinite with respect to the laminated relationship that is believed to exist. In claim 8, line 2 "on" is vague and indefinite. In 15 claims 13 and 14, "adjacent" fails to properly state the laminated relationship. In claim 15, line 2 "that is used" is considered vague and indefinite, as is "using a" in claim 17.

To overcome the 112 problems, all of the claims are amended except claim 9 as set forth in the above AMENDMENT section. In the once amended claim 1, the 20 terminologies "impressed" and the accompanying "impressing process" are replaced with a means-plus-function language: "a flexibility and tearing characteristics enhancing means", which is based on the disclosure in page 7 lines 4-5 of the PCT International Application published as WO 01/85444. No new matter is introduced. The Applicant submits that the word "impressed" and the accompanying "impressing process" may not be art 25 recognized terminology because of translation related informality, however, in page 7 lines 1-6 of the PCT International Application published as WO 01/85444, "impressing process" has been specifically defined as a process for forming a plurality of pores that are randomly distributed throughout the embossed reinforced polymer layer, and these randomly distributed pores in the embossed reinforced polymer layer 30 substantially enhance the flexibility and tearing characteristics thereof. For this reason, the Applicant respectfully submits that there is no need to change the corresponding terminologies in the specification. Additionally, in the once amended claim 1, "covering" and "used to improve" phrases are deleted. Instead, "the first flexible layer is softer than the embossed reinforcing polymer layer" is added based on page 7 lines 1-6 of 35 the PCT International Application published as WO 01/85444. As for claims 2, 4, 7, 10, 16 and 17, proper Markush language is used. Reconsideration of the amended claims is politely requested.

40 Since claims 1-18 are not rejected on the basis of adverse prior art, the Applicant believes that the present application is now in condition for allowance, and such action is therefore politely requested.

2 Submission of the Abstract of the present application:

Applicant respectfully submits the Abstract of the present application on a separated sheet. Reconsideration of the newly submitted Abstract is politely requested. 45 In addition, it is noted that the issue regarding the certified translations of U.S. Pat. Applications Serial No. 09/756,737 and 09/779,490 together with the accompanying PCT request forms in each applications the Examiner mentioned in the Office action dated 03/31/2003 (point 6) had been discussed on the phone. The Examiner states that

the paper will be re-examined and meanwhile the Applicant awaits further instructions.

5

Sincerely yours,

10



Winston Hsu, Patent Agent No.41,526

P.O. BOX 506

Merrifield, VA 22116

U.S.A.

15

e-mail: winstonhsu@naipo.com.tw

Date:

6/27/2003